

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011**

**SESSION LAW 2011-208  
HOUSE BILL 263**

AN ACT TO ALLOW CERTAIN RETIRED MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM WHO REMARRIED PRIOR TO THE EFFECTIVE DATE OF A TECHNICAL CORRECTION TO THE RETIREMENT LAWS TO NOMINATE THEIR NEW SPOUSES TO RECEIVE THE SURVIVOR BENEFITS IN ACCORDANCE WITH THAT TECHNICAL CORRECTION.

The General Assembly of North Carolina enacts:

**SECTION 1.** Notwithstanding any other provision of law, a retired member of the Teachers' and State Employees' Retirement System or the Local Governmental Employees' Retirement System (i) who designated a spouse as survivor under Option 5 as set forth in G.S. 135-5(g) or G.S. 128-27(g), (ii) whose designated spouse predeceased him or her, and (iii) who remarried prior to the enactment of S.L. 2010-72 may nominate the new spouse to receive the survivor retirement benefits in accordance with G.S. 135-5(g) or G.S. 128-27(g), provided that nomination is made within 90 days of the effective date of this act.

**SECTION 2.** This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 15<sup>th</sup> day of June, 2011.

s/ Walter H. Dalton  
President of the Senate

s/ Thom Tillis  
Speaker of the House of Representatives

s/ Beverly E. Perdue  
Governor

Approved 12:00 p.m. this 23<sup>rd</sup> day of June, 2011

